

No. 9/5/84-6Lab/4180.—In pursuance of the provisions of section 17 of the Industrial Disputes Act, 1947 (Central Act No. XIV of 1947), the Governor of Haryana is pleased to publish the following award of Presiding Officer, Labour Court, Ambala in respect of the dispute between the workman and the management of Industrial Cable (India) Ltd., Lal Chand Nagar, Kila Zaffargarh, district Jind :—

IN THE COURT OF SHRI V. P. CHAUDHARY, PRESIDING OFFICER, LABOUR COURT, AMBALA
AT AMBALA CITY

Reference No. 14 of 1985

SHRI AMARJIT SINGH, WORKMAN AND THE MANAGEMENT OF INDUSTRIAL CABLE
(INDIA) LIMITED, LAL CHAND NAGAR, KILA ZAFFARGARH DISTT. JIND

Present :—

None for workman.

Shri K.S. Pannua for respondent.

AWARD

The Hon'ble Governor of Haryana in exercise of the powers conferred,—*vide* clause (c) of sub-section (1) of section 10 of the Industrial Disputes Act, 1947, referred the following dispute to the Presiding Officer, Labour Court, Faridabad between Shri Amarjit Singh, workman and the management of Industrial Cable (India) Ltd., Lal Chand Nagar, Killa Zaffargarh Distt. Jind. The terms of the reference are as under :—

Whether the termination of services of Shri Amarjit Singh, workman, was justified and in order ? If not, to what relief is he entitled to ?

Shri Amarjit Singh, workman alleged that he served the respondent to the best of his ability as a Cashier, but the respondent-management terminated his services in contravention of Section 25 (F) of the Industrial Disputes Act, 1947. Notices were served upon Shri K. S. Pannua and Nasib Singh appeared to contest the reference.

Workman absented in spite of service, Shri Nasib Singh appeared for management. Since neither workman nor his authorised-representative are present to contest the reference, so it is dismissed in default. File be consigned to record room.

Dated, the 25th April, 1985.

V. P. CHAUDHARY,

Presiding Officer,
Labour Court, Ambala.

Endst. No. 1124, dated, Ambala City the 7th May, 1985.

Forwarded (four copies), to the Financial Commissioner and Secretary to Government, Haryana, Labour and Employment Departments, Chandigarh, as required under section 15 of the Industrial Disputes Act, 1947.

V. P. CHAUDHARY,

Presiding Officer,
Labour Court, Ambala.

9/5/84-6Lab/4181.—In pursuance of the provisions of section 17 of the Industrial Disputes Act, 1947 (Central Act No. XIV of 1947), the Governor of Haryana is pleased to publish the following award of the Presiding Officer, Labour Court, Ambala, in respect of the dispute between the workman and management of M/s Chanderpur Works, Yamunanagar :—

IN THE COURT OF SHRI V. P. CHAUDHARY, PRESIDING OFFICER, LABOUR COURT,
AMBALA

Reference No. 28 of 1985

SHRIMATI RAHTI, WORKMAN AND THE MANAGEMENT OF M/S CHANDERPUR
WORKS, YAMUNANAGAR (AMBALA)

Present :—

None for the workman.

None for the respondent.

AWARD

The Hon'ble Governor of Haryana in exercise of the powers conferred,—vide clause (c) of sub-section (1) of section 10 of the Industrial Disputes Act, 1947, referred the following dispute between Shrimati Rahti workman and the management of Messrs Chanderpur Works, Yamuna Nagar. The terms of the reference are as under :—

“Whether the termination of services of Shrimati Rahti, workman, was justified and in order ? If not, to what relief is she entitled to?”

Workman Shrimati Rahti alleged that she served the respondent management for 12 years and had been drawing Rs. 358 per mensem on 20th September, 1983 who fell ill and on that very pretext management terminated her services in violation of section 25 (f) of the Industrial Disputes Act, 1947. She had prayed for re-instatement with continuity in service and full back wages.

Notice of the reference was served upon to the parties, the case was fixed for today. Both the parties had been served for 26th April, 1985, but none appeared to contest the case. Hence reference is dismissed in default. File be consigned to record room.

V. P. CHAUDHARY,

Dated 28th April, 1985.

Presiding Officer,
Labour Court, Ambala.

Endst. No. 1130, dated, the 7th May, 1985.

Forwarded (four copies), to the Financial Commissioner and Secretary to Government, Haryana, Labour and Employment Departments, Chandigarh, as required under section 15 of the Industrial Disputes Act, 1947.

V. P. CHAUDHARY,

Presiding Officer,
Labour Court, Ambala.

No. 9/5/84-6Lab/4182.—In pursuance of the provisions of section 17 of the Industrial Disputes Act, 1947 (Central Act No. XIV of 1947), the Governor of Haryana is pleased to publish the following award of Presiding Officer, Labour Court, Ambala in respect of the dispute between the workmen and the management of The Shahbad Co-operative Sugar Mills Ltd., Shahbad Markanda (Kurukshetra) :—

IN THE COURT OF SHRI V. P. CHAUDHARY, PRESIDING OFFICER, LABOUR COURT,
AMBALA AT AMBALA CITY (HARYANA)

Reference No. 26 of 1985

SHRI RAJINDER KUMAR, WORKMAN AND THE MANAGEMENT OF THE
SHAHBAD CO-OPERATIVE SUGAR MILLS LTD., SHAHBAD MARKANDA
(KURUKSHETRA)

Present :—

Shri Janak Raj Sharma, for workman.

None, for the Respondent-management

AWARD

The Hon'ble Governor of Haryana in exercise of the powers conferred,—vide clause (c) of sub-section (1) of section 10 of the Industrial Disputes Act, 1947, referred the following dispute between Shri Rajinder Kumar and the management of The Shahbad Co-operative Sugar Mills Ltd., Shahbad Markanda (Kurukshetra). The terms of the reference are as under :—

Whether the termination of services of Shri Rajinder Kumar, workman, was justified and in order? If not, to what relief is he entitled to ?

Workman Rajinder Kumar alleged that he joined services of respondent as a clerk on 3rd January, 1984. He remained in service for 267 day. His services were terminated with effect from 31st September, 1984 in contravention of section 25 (F) of the Industrial Disputes Act, 1947. He has prayed for re-instatement with continuity in service with full back wages. Notices of this reference was served upon respondent-management, but inspite of service management did not appear to contest this reference. Hence respondent was proceeded *ex parte*.

Workman Rajinder Kumar in support of his *ex parte* evidence examined himself as AW-I and supported his case on all the material points as urged above. He also tendered in evidence his appointment letter Ex-A-1 to 3.

I have heard the workman and his authorised representative and have also perused oral and documentary evidence placed on the file and of the considered opinion that from the *ex parte* evidence it is evident that workman served the respondent-management more than 240 days at the time of termination of services. Management did not serve any notice to workman nor made payment of wages for notice period nor any retrenchment compensation was paid to him. It appears that the termination order of the respondent is arbitrarily and in violation of section 25 (F) of the Industrial Disputes Act, 1947. Respondent-management inspite of service did not bother to contest the case which also shows that management's attitude is highly un-desirable.

In view of my above discussions I think that workman is entitled to re-instatement from the day of termination with continuity in service and with all full back wages.

I pass my *ex parte* award accordingly.

Dated the 27th April, 1985.

V. P. CHAUDHARY,
Presiding Officer,
Labour Court, Ambala.

Endst. No. 1131, dated the 7th May, 1985.

Forwarded (four copies), to the Financial Commissioner and Secretary to Government, Haryana, Labour and Employment Departments, Chandigarh, as required under section 15 of the Industrial Disputes Act, 1947.

V. P. CHAUDHARY,
Presiding Officer,
Labour Court, Ambala,

KULWANT SINGH,
Secretary to Government, Haryana,
Labour & Employment Department.

श्रम विभाग .

आदेश

दिनांक 2 मई 1985

सं. ओ.वि./यमुना/29-85/20054.—चूंकि हरियाणा के राज्यपाल की राय है कि मै. बाम्बे मेटल इन्डस्ट्रीज वर्क्स, दुर्गा गार्डन, जगाधरी के श्रमिक श्री ज्ञान चन्द तथा उसके प्रबन्धकों के मध्य इसमें इसके बाद लिखित मामले में कोई औद्योगिक विवाद है ;

और चूंकि हरियाणा के राज्यपाल विवाद को न्यायनिर्णय हेतु निर्दिष्ट करना वांछनीय समझते हैं ;

इसलिए, अब, औद्योगिक विवाद अधिनियम, 1947, की धारा 10 की उपधारा (1) के खण्ड (ग) द्वारा प्रदान की गई शक्तियों का प्रयोग करते हुए, हरियाणा के राज्यपाल इसके द्वारा सरकारी अधिसूचना सं. 3(44)84-3अम, दिनांक 18 अप्रैल, 1984, द्वारा उक्त अधिनियम की धारा 7 के अधीन गठित श्रम न्यायालय, प्रम्वाला, को विवादग्रस्त या उसके सम्बन्धित नीचे लिखा मामला न्यायनिर्णय के लिए निर्दिष्ट करते हैं, जो कि उक्त प्रबन्धकों तथा श्रमिक के बीच या तो विवादग्रस्त मामला है या विवाद से सुसंगत प्रत्यवा संबंधित मामला है :—

क्या श्री ज्ञान चन्द की सेवाओं का समाधान न्यायोचित तथा ठीक है ? यदि नहीं, तो वह किस राहत का हकदार है ?

जे० पी० रतन,
उप-सचिव, हरियाणा सरकार,
श्रम विभाग।